

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office.....MAR 12 1970 NEW PRIORITY DATE JAN 8 1986

Returned to applicant for correction.....AUG 4 1970

Corrected application filed.....AUG 11 1970

Map filed.....MAR 10 1970

The applicant W. D. and Gertrude Embry, Sr.
of P. O. Box 56, Lathrop Wells, County of _____,
State of Nevada 89020, hereby make application for permission to appropriate the public
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
tion; if a copartnership or association, give names of members.) N/A

1. The source of the proposed appropriation is unnamed surface pond
Name of stream, lake or other source.

2. The amount of water applied for is 8 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet N/A acre-feet

3. The water to be used for Irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 340

(b) Stockwater (state number and kinds of animals to be watered) N/A

(c) Other use (describe fully under "No. 11. Remarks") N/A

(d) Power:

(1) Horsepower developed N/A

(2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point: Surface Pond within the SW $\frac{1}{4}$
NE $\frac{1}{4}$ of Section 1, T 18 S., R 49 E. M.D.B. & M. at a point from which the
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
North Quarter (NE $\frac{1}{4}$) corner of said Section 1, bears North 51° 10' 40"
it should be stated. West a distance of 1970. feet.

6. Place of use NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ all in Section 1, and
Describe by legal subdivision, if on unsurveyed land it should be so stated.
the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2; and a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 2; and a portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ all in Section 11,
T 18 S., R 49 E., MDB&M, less the Death Valley Townsite Subdivision and
Nevada State Route No. 29 all in Nye County, Nevada

7. Use will begin about January 1st and end about December 31st, of each year.
Month Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans
and specifications of your diversion or storage works.) Construct an earth fill dike and
diversion head gate 300 lineal feet of 12" diameter pipe line and
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.
8,000 lineal feet of channel from the diversion dike to the place of
use in Sections 2 and 11

9. Estimated cost of works.....\$10,000.00
10. Estimated time required to construct works.....5 years
11. Remarks The source is from a natural pond which stores approximately 50 acre feet, there will be no storage reservoir.

Applicant W. D. and Gertrude Embry, Sr.

By s/Richard J. Baughman

Richard J. Baughman, Agent

Compared jn/hs jw/bk

536 East Sahara Aven.

PRO: on 9/25/70 by Spring Meadows, Inc. Las Vegas, Nevada 89105

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of the water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second but not to exceed a yearly duty of 5.0 acre feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before October 14, 1971

Proof of commencement of work shall be filed before November 14, 1971

Work must be prosecuted with reasonable diligence and be completed on or before October 14, 1972

Proof of completion of work shall be filed before November 14, 1972

Application of water to beneficial use shall be made on or before October 14, 1975

Proof of the application of water to beneficial use shall be filed on or before November 14, 1975

Map in support of proof of beneficial use shall be filed on or before November 14, 1975

Commencement of work filed NOV 30 1971 bk IN TESTIMONY WHEREOF, I Roland D. Westergard

Completion of work filed OCT 19 1972 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of April

Proof of beneficial use filed A.D. 19 71

Cultural map filed

Certificate No. Issued

Recorded Bk. Page

CANCELLED JAN 8 1972

CANCELLED JUN 7 1971

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Cancellation recorded 4-22-86

STATE ENGINEER